

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

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ZACHARY JACKSON,

Plaintiff,

v.

5:25-CV-0351  
(GTS/TWD)

MARK MOODY; THOMAS LEONE; ROME  
CANZANO; and BRITTANY GROME  
ANTONACCI,

Defendants.

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APPEARANCES:

ZACHARY JACKSON  
Plaintiff, *Pro Se*  
Cayuga County Jail  
7445 County House Road  
Auburn, New York 13021

GLENN T. SUDDABY, United States District Judge

**DECISION and ORDER**

Currently before the Court, in this *pro se* civil rights action filed by Zachary Jackson (“Plaintiff”) against Thomas Leone, Brittany Grome Antonacci, Rome Canzano, and Mark Moody (“Defendants”) claiming violations of N.Y. Penal Law §§ 170.25 and 170.10(2), is United States Magistrate Judge Thérèse Wiley Dancks’ Report-Recommendation recommending that Plaintiff’s Complaint be dismissed for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B). (Dkt. No. 5.) Plaintiff has not filed an Objection to the Report-Recommendation, and the time in which to do so has expired. (*See generally* Docket Sheet.)

After carefully reviewing the relevant papers herein, including Magistrate Judge Dancks’

thorough Report-Recommendation, the Court can find no clear error in the Report-Recommendation.<sup>1</sup> Magistrate Judge Dancks employed the proper standards, accurately recited the facts, and reasonably applied the law to those facts. As a result, the Report-Recommendation is accepted and adopted in its entirety for the reasons stated therein.

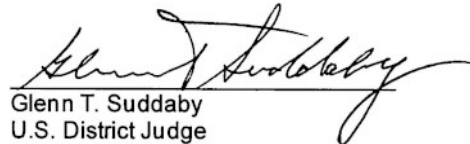
**ACCORDINGLY**, it is

**ORDERED** that Magistrate Judge Dancks' Report-Recommendation (Dkt. No. 5) is **ACCEPTED** and **ADOPTED** in its entirety; and it is further

**ORDERED** that Plaintiff's Complaint (Dkt. No. 1) **shall be DISMISSED with prejudice** and without further Order of this Court, **UNLESS, within THIRTY (30) DAYS** of the entry of this Decision and Order, Plaintiff files an Amended Complaint which corrects the pleading defects identified in Magistrate Judge Dancks' Report-Recommendation; and it is further

**ORDERED** that, should Plaintiff file an Amended Complaint within the above-referenced thirty-day time period, the Amended Complaint shall be returned to Magistrate Judge Dancks for review.

Dated: July 17, 2025  
Syracuse, New York

  
Glenn T. Suddaby  
U.S. District Judge

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<sup>1</sup> When no objection is made to a report-recommendation, the Court subjects that report-recommendation to only a clear error review. Fed. R. Civ. P. 72(b), Advisory Committee Notes: 1983 Addition. When performing such a "clear error" review, "the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." *Id.*; see also *Batista v. Walker*, 94-CV-2826, 1995 WL 453299, at \*1 (S.D.N.Y. July 31, 1995) (Sotomayor, J.) ("I am permitted to adopt those sections of [a magistrate judge's] report to which no specific objection is made, so long as those sections are not facially erroneous.") (internal quotation marks omitted).